

1 THE BOCCARDO LAW FIRM INC
ATTORNEYS AT LAW

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E-FILED 12/5/08

4 JOHN C. STEIN, SBN 39417
5 ATTORNEYS FOR PLAINTIFFS

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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT - SAN JOSE
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11 GARY NIVA and ALINKA NIVA, as) Case No.: C03-00908 RS
12 Administrators of the Estate of)
13 ERIC AUSTIN NIVA, deceased,) STIPULATION TO FILE FIRST
14 Plaintiffs,) AMENDED COMPLAINT FOR DAMAGES
15 vs.) AND ORDER
16 UNITED STATES OF AMERICA)
17 DEPARTMENT OF THE INTERIOR -)
18 BUREAU OF LAND MANAGEMENT,)
19 Defendants.)
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21 IT IS HEREBY STIPULATED AND AGREED by and between the parties
22 to the above-entitled action, by and between their respective
23 counsel, that Plaintiffs be permitted to file their First Amended
24 Complaint, alleging a wrongful death cause of action. It is further
25 stipulated that defendant shall have 45 days from the filing of the
26 First Amended Complaint to answer, move, or otherwise respond to the
First Amended Complaint.

1 DATED: December 5, 2008

THE BOCCARDO LAW FIRM, INC.

2 BY: ___/S/_____
3 JOHN C. STEIN
4 Attorneys for Plaintiffs

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6 DATED: December 5, 2008

JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

7 BY: ___/S/_____
8 CLAIRE T. CORMIER
9 Assistant U.S. Attorney
10 Attorneys for Defendant

11 ORDER

12 IT IS SO ORDERED.

13 DATED: December 5, 2008
14 _____


15 RICHARD SEEBORG
16 United States Magistrate Judge
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